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Attorney for the Defendant,
Fausto Texeira Martins Neto

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FAUSTO TEXEIRA MARTINS NETO,

Defendant.

Case No. 2:17-cr-00001-JAD-DJA

**STIPULATION AND ORDER TO
CONTINUE SENTENCING**

[Fifth Request]

IT IS HEREBY STIPULATED AND AGREED by and between Telia Mary U. Williams, Esq., counsel for the defendant, Fausto Texeira Martins Neto, and Simon Kung, Esq., Assistant United States Attorney, counsel for the Government, that the Sentencing currently scheduled for June 21, 2021 at 3:00pm, be vacated and reset to a time no sooner than sixty (60) days from June 21, 2021.

This Stipulation is entered into for the following reasons:

1. Counsel for the Defendant needs more time to adequately prepare for sentencing.

She has not been able to confer sufficiently with the Defendant for sentencing

because she was in two back-to-back federal criminal trials, followed by preparing for two back-to-back state court civil trials (one ending on June 4, 2021, and one starting this Friday, June 18, 2021). This unusually burdensome schedule has made preparing the Defendant for his sentencing extremely difficult, especially because of the need of a Portuguese language interpreter (one of only two such certified interpreters in the district), and the need to comply with virus safety precautions.

2. In addition, at the last visit with the Defendant, approximately a month ago, he indicated a desire for counsel to find out more how a sentence in this case might affect a contemporaneous state court proceeding involving the same facts and occurrence. That research will require additional time.
3. Counsel for the Government has no objection to this continuance.
4. The Defendant is in custody, but does not object to a continuance.
5. Denial of this request for continuance could result in a miscarriage of justice.
6. For all the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing.
7. This is the fifth request for a continuance.

DATED: June 14, 2021

LAW OFFICE OF TELIA U. WILLIAMS

By: /s/ Telia U. Williams

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*Attorney for Defendant,
Fausto Teixeira Martins Neto*

CHRISTOPHER CHIOU

ACTING UNITED STATES ATTORNEY

By: /s/ Simon Kung

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*Attorney for Plaintiff,
United States*

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 UNITED STATES OF AMERICA,

Case No. 2:17-cr-00001-JAD-DJA

5 Plaintiff,

ORDER

6 vs.

7 FAUSTO TEXEIRA MARTINS NETO,

8 Defendant.
9

10 **FINDINGS OF FACT**

11 Based on the Stipulation of counsel, and good cause appearing therefore, the court finds
12 that the Stipulation by, between, and among the United States, and defendant Fausto Texeira
13 Martins Neto, is entered into for the following reasons:

- 14
- 15 1. Counsel for the Defendant needs more time to adequately prepare for
16 sentencing. She has not been able to confer sufficiently with the Defendant for
17 sentencing because she was in two back-to-back federal criminal trials,
18 followed by preparing for two back-to-back state court civil trials (one ending
19 on June 4, 2021, and one starting this Friday, June 18, 2021). This unusually
20 burdensome schedule has made preparing the Defendant for his sentencing
21 extremely difficult, especially because of the need of a Portuguese language
22 interpreter (one of only two such certified interpreters in the district), and the
23 need to comply with virus safety precautions.
 - 24 2. In addition, Counsel, at the request of the Defendant, needs more time to
25 research the effect that a sentence in this case may have on a contemporaneous
26 state court proceeding involving the same facts and occurrence.
 - 27 3. Counsel for the Government has no objection to this continuance.
 - 28 4. The Defendant is in custody, but does not object to a continuance.

5. Denial of this request for continuance could result in a miscarriage of justice.
6. For all the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing.
7. This is the fifth request for a continuance.

CONCLUSIONS OF LAW

Denial of this request for continuance would deny counsel for the Defendant, Fausto Texeira Martins Neto, sufficient opportunity to confer with Mr. Neto, and to adequately to prepare for his sentencing.

As such, denial of this request for continuance could result in a miscarriage of justice.

ORDER

IT IS HEREBY ORDERED that the sentencing currently scheduled for June 21, 2021 at 3:00pm, be continued to August 30, 2021, at 11:00 a.m.

DATED this 15th day of October, 2021.


UNITED STATES DISTRICT JUDGE